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SENATE BILL 856

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Phil A. Griego

AN ACT

RELATING TO EMERGENCY MEDICAL SERVICES; PROVIDING FOR A
DISTRIBUTION OF CERTAIN INSURANCE PREMIUM REVENUE TO THE
EMERGENCY MEDICAL SERVICES FUND FOR DISTRIBUTION TO CERTAIN
COUNTIES FOR EMERGENCY MEDICAL SERVICE OPERATIONAL PURPOSES;
MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 24-10A-3 NMSA 1978 (being Laws 1978,
Chapter 178, Section 3, as amended by Laws 2001, Chapter 258,
Section 3 and by Laws 2001, Chapter 273, Section 3) is amended
to read:

"24-10A-3. EMERGENCY MEDICAL SERVICES FUND CREATED--
FUNDING. --

A. The "emergency medical services fund" is created
in the state treasury. Money in the fund shall not revert at

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1 the end of any fiscal year. Money appropriated to the fund or
2 accruing to it through gifts, grants, fees or bequests shall be
3 deposited in the fund. Interest earned on investment of the
4 fund shall be credited to the general fund. Disbursements from
5 the fund shall be made upon warrants drawn by the secretary of
6 finance and administration pursuant to vouchers signed by the
7 secretary or his authorized representative.

8 B. The bureau shall administer the fund and provide
9 for the distribution of the fund pursuant to the Emergency
10 Medical Services Fund Act and rules adopted pursuant to the
11 provisions of that act.

12 C. Except as provided in Subsection F of this
13 section, in any fiscal year, no less than seventy-five percent
14 of the money in the fund shall be used for the local emergency
15 medical services funding program to support the cost of
16 supplies and equipment and operational costs other than
17 salaries and benefits for emergency medical services personnel.
18 This money shall be distributed to municipalities and counties
19 on behalf of eligible local recipients, using a formula
20 established pursuant to rules adopted by the department. The
21 formula shall determine each municipality's and county's share
22 of the fund based on the relative geographic size and
23 population of each county. The formula shall also base the
24 distribution of money for each municipality and county on the
25 relative number of runs of each local recipient eligible to

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1 participate in the distribution.

2 D. Except as provided in Subsection F of this
3 section, in any fiscal year, no more than:

4 (1) twenty-two percent of the fund may be used
5 for emergency medical services system improvement projects,
6 including the purchase of emergency medical services vehicles,
7 local and statewide emergency medical services system support
8 projects, the statewide trauma care system program and the
9 emergency medical dispatch agency support program; and

10 (2) three percent of the fund may be used by
11 the bureau and emergency medical services regional offices for
12 administrative costs, including monitoring and providing
13 technical assistance.

14 E. In any fiscal year, money in the fund that is
15 not distributed pursuant to the provisions of Subsection D of
16 this section may be distributed pursuant to the provisions of
17 Subsection C of this section.

18 F. Money distributed to the fund pursuant to
19 Section 59A-53-15 NMSA 1978 shall be maintained in a separate
20 account in the fund and is appropriated for distribution to
21 counties that are the sole providers of ambulance and emergency
22 medical system operations in the county to defray the costs of
23 operating the county's ambulance and emergency medical system.
24 Money shall be distributed to eligible counties based on the
25 relative geographic size and population of each county and the

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1 relative number of runs in each county. The bureau shall
2 coordinate with the counties in adopting rules necessary to
3 determine eligibility and implement the distribution formula.
4 This distribution shall be considered separate from the local
5 emergency medical services program administered by the bureau."

6 Section 2. Section 59A-53-15 NMSA 1978 (being Laws 1984,
7 Chapter 127, Section 986, as amended) is amended to read:

8 "59A-53-15. APPROPRIATION FROM STATE TREASURY. --

9 A. All money which from time to time is deposited
10 in the state treasury and credited to the fire protection fund
11 is appropriated to the [corporation] commission for the use of
12 the marshal for the purposes set out in Chapter 59A, Article 53
13 NMSA 1978 and shall be distributed by the state treasurer and
14 expended as provided in that article, [Hereafter] including all
15 sums in excess of one hundred thousand dollars (\$100,000) for
16 pro rata distribution plus seventy-five percent of the approved
17 state fire marshal budget for the succeeding fiscal year plus
18 the amount certified to be distributed as provided in that
19 article [shall be credited to the general fund on or before
20 June 30 of each fiscal year].

21 B. On or before June 30 of each fiscal year, from
22 the balance remaining in the fund after the money deposited in
23 the fund has been disbursed and appropriated as provided in
24 Subsection A of this section, the state treasurer shall
25 distribute an amount equal to twenty-five percent of that

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1 balance to the emergency medical services fund and the
2 remainder to the general fund."

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